GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals – Request for change of name from M/s.Sagar Cements (R) Limited to M/s.Sagar Cements Limited in respect of existing Mining Lease for Limestone over an extent of 454.590 Hectares (1123.32 Acres) in various Sy.Nos. of Gudipadu (V), Yadiki (M), Ananthapuramu Dist, under Rule 61 (1) (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 – Accepted - Orders - Issued.

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INDUSTRIES AND COMMERCE (MINES.III) DEPARTMENT

G.O.Ms.No.60 Date:02/09/2022

Read the following:

1.G.O.Ms.No.119, Ind. & Com. (M.III) Dept, dt.04.12.2015.
2.G.O.Ms.No.23, Ind. & Com. (M.III) Dept, dt.09.04.2021.
3.From the Director of Mines & Geology, A.P., Vijayawada Single File No.10763/D11-ATP/2017, dt.28.06.2022.

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ORDER:

In the G.O. 1st read above, a Mining Lease for Limestone over an extent of 454.590 Hectares (1123.32 Acres) in Sy.Nos.15 to 55, 59, 68 to 78, 80, 85, 86, 88 to 91, 94, 95, 183, 184,189, 190 etc., of Gudipadu (V), Yadiki (M), Ananthapuramu District was granted in favour of M/s.BMM Cements Limited (BMMCL) for a period of Twenty (20) years and the lease is in force up to 14.12.2035.

2. In the G.O. 2nd read above, orders were issued accepting the change of name from M/s.BMM Cements Limited to M/s.Sagar Cements (R) Limited w.e.f. the date of communication received i.e. on 08.04.2017 in respect of the subject Mining Lease under Rule 61 (1) (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016.

3. In his Single File 3rd read above, the Director of Mines & Geology, A.P., has submitted proposal for further change of name from "M/s.Sagar Cements (R) Limited (SCRL)" to "M/s.Sagar Cements Limited (SCL)" in respect of the subject M.L. held by M/s.Sagar Cements (R) Ltd., stating that in connection with the Repn., on 11.05.2021 submitted by the lessee Company in respect of the said change of name, the ADM&G, Tadipatri has reported in the matter on 27.05.2022 that as per the Certificate of Incorporation furnished by M/s.SCRL having Corporate Identification No.4030KA2007PLC04376 w.e.f. 28.03.2017 issued by the Registrar of Companies, MoCA, GoI, Bangalore along with the particulars of Board of Directors existing as on 31.08.2020 & shareholding pattern as on 28.03.2017, which were accepted by GoAP and accordingly permitted the change of name from "M/s. BMM Cements Ltd" to "M/s. Sagar Cements (R) Ltd."

4. As reported by the ADM&G, Tadipatri, the lessee Co., has informed that the Board of Directors have proposed to amalgamate their Co., with M/s.SCL which is similarly situated & doing the same business activity with a view to reduce the cost

of over heads, improvement in professional management so as to enhance the efficacy of operation and thereby to achieve significant change in the growth of the Co., and accordingly fled an Appln., before National Company Law Tribunal (NCLT) with due concurrence of both Companies for sanction of Scheme of Amalgamation. As such, M/s. SCRL has requested for prior approval U/s 12(A) of MM (D&R) Act, 1957 which is not yet communicated within 90 days from the Govt and it can be construed that Govt has no objection against the request made U/s 12(A) (3) of MM (D&R) Act, 1957. M/s. SCRL in the capacity of 1st petitioner & transferor and M/s.SCL in the capacity of 2nd petitioner & transferee have filed an Appln., in CP (CCA) No.49/230/HDB/2021 U/s 230 to 232 of Companies Act, 2013 before the Hon'ble NCLT, Hyd in the matter of Scheme of Amalgamation praying for sanction of Scheme of Agreement between Transferor & Transferee Co., and their respective shareholders, creditors & employees. After considering the material on the record, the Hon'ble NCLT, Hyd has passed the orders on 15.03.2022 and sanctioned the Scheme of Amalgamation with appointed date as on 30.03.2021 and accordingly, M/s.SCL has represented the DM&G on 21.03.2022 to accord permission to effect the change of name from M/s. SCRL to M/s.SCL in respect of subject M.L. as required U/r 61(1) of M.C. Rules, 2016. M/s. SCL has informed about the Scheme of merger on 21.03.2022 within the stipulated period of 60 days as required under Rule 62(1) of M.C. Rules, 2016 as per the Scheme of Amalgamation sanctioned by the Hon'ble NCLT, Hyd for Merger of M/s. SCRL into M/s. SCL. The omission & adding names of shareholders with one share in SCRL & SCL may not affect the board decisions or cannot control the operations of the M.L. held by M/s. SCRL. Accordingly, the ADM&G, Tadipatri has requested to accord permission for change of name from M/s. SCRL to M/s. SCL in respect of the subject M.L.

5. The Director of Mines & Geology, A.P., while recommending the proposal, has, therefore, requested Government to accord necessary permission for change of name from "M/s. Sagar Cements (R) Limited" to "M/s. Sagar Cements Limited" in respect of the subject M.L. held by M/s. Sagar Cements (R) Ltd., under Rule 61 (1) of M.C. Rules, 2016.

6. Government, after careful examination of the entire matter, hereby accept the request for change of name from "M/s.Sagar Cements (R) Limited" to "M/s. Sagar Cements Limited" in respect of the existing M.L. held by M/s.Sagar Cements (R) Ltd., for Limestone over an extent of 454.590 Hectares in Sy.Nos.15 to 55, 59, 68 to 78, 80, 85, 86, 88 to 91, 94, 95, 183, 184, 189, 190 etc., in Gudipadu (V), Yadiki (M), Ananthapuramu District w.e.f. 15.03.2022 (date of orders of Hon'ble NCLT, Hyd) under Rule 61 (1) of M.C. Rules, 2016, subject to satisfaction of all other terms & conditions laid down under the MM(D&R) Act and the rules made there under & all standing instructions and guidelines issued by the GoI and State Government from time to time.

7. The Director of Mines and Geology, A.P., Vijayawada shall take further necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT (MINES)

To

(i) M/s.Sagar Cements (R) Limited,
Plot No.111, Road No.10, Jubilee Hills,
Hyderabad – 500 033, Telangana State. (By RPAD).

(ii) M/s.Sagar Cements Limited,
Plot No.111, Road No.10, Jubilee Hills,
Hyderabad – 500 033, Telangana State. (By RPAD)

The Director of Mines & Geology, A.P., Vijayawada(w.e.fle).

Copy to:

The Secretary to Govt. of India, Ministry of Mines, Sastry Bhavan, New Delhi.
The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur
The Assistant Director of Mines and Geology, Tadipatri, Ananthapuramu District.
SF/SCs.(1332862)

//FORWARDED :: BY ORDER//

SECTION OFFICER

//TRUE:: COPY//

SECTION OFFICER